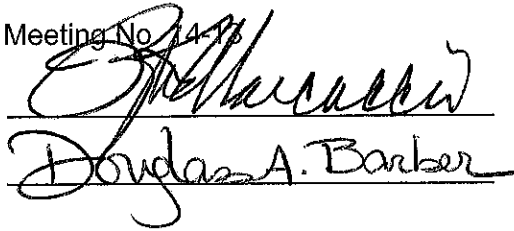


APPROVED: Meeting No. 38-12

ATTEST:

  
Douglas A. Barber

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
December 3, 2012  
7:00 p.m.  
Meeting No. 38-12

**Executive Session pursuant to Section 10-508(a)(7) of the State Government Article of the Annotated Code of Maryland to consult with counsel to obtain legal advice on a personnel matter (Personnel Investigation)**

The Mayor and Council met in Executive Session on Tuesday, November 27, 2012, at 6:31 p.m. in the Diamondback Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland 20850.

Councilmember Moore made the motion to convene in Executive Session and it was seconded by Councilmember Newton and unanimously passed.

Present at the Executive Session were Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala. Also present were City Manager Barbara Matthews, City Attorney Debra Daniel, Senior Assistant City Attorney Cynthia Walters, and Devin Doolan with Saul Ewing.

The topic of discussion was the City's Personnel Investigation.

The Mayor and Council adjourned the Executive Session at 8:08 p.m.

**PRESENT:**

Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala

**STAFF PRESENT:**

City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, and City Attorney Debra Daniel.

**1. Convene**

The Mayor and Council convened in a regular meeting at 7:00 p.m. on Monday, December 3, 2012, in the Mayor and Council Chambers, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland.

## **2. Pledge of Allegiance**

Mayor Marcuccio led the Pledge of Allegiance.

## **3. Agenda Review**

City Clerk Barber noted there were no changes to the agenda.

## **4. City Manager's Report**

City Manager Matthews noted that the Comprehensive Financial Advisory Report was distributed to the Mayor and Council and would be a matter of discussion at the December 17, 2012 Mayor and Council meeting. Ms. Matthews asked that she receive any questions on the report in advance of the meeting. City Manager Matthews also announced an award that the City of Rockville had received from the Historic Preservation Commission for the work on the new Police Station headquarters.

## **5. Appointments/Reappointments & Announcements of Vacancies**

Mayor Marcuccio announced the re-appointment of Dale Cyr as a member to the Rockville Economic Development Inc. until December 1, 2015.

**Motion:** To re-appoint Dale Cyr to Rockville Economic Development Inc. as a member until December 1, 2015.

Moved by Councilmember Newton, seconded by Councilmember Hall and unanimously approved.

Mayor Marcuccio announced the re-appointment of Lisa Cines as a member to the Rockville Economic Development Inc. until December 1, 2015.

**Motion:** To re-appoint Lisa Cines to Rockville Economic Development Inc. as a member until December 1, 2015.

Moved by Councilmember Pierzchala, seconded by Councilmember Hall and unanimously approved.

Mayor Marcuccio announced the re-appointment of Albert Lampert as a member to Rockville Economic Development Inc. until December 1, 2015.

**Motion:** To re-appoint Albert Lampert to Rockville Economic Development Inc. until December 1, 2015.

Moved by Councilmember Hall, seconded by Councilmember Pierzchala and unanimously approved.

Mayor Marcuccio announced the re-appointment of Paul Love as a member to Rockville Economic Development Inc. until December 1, 2015.

**Motion:** To re-appoint Paul Love to Rockville Economic Development Inc. until December 1, 2015.

Moved by Councilmember Moore, seconded by Councilmember Pierzchala and unanimously approved.

Mayor Marcuccio announced the re-appointment of Paul Newman as a member to Rockville Economic Development Inc. until December 1, 2015.

**Motion:** To re-appoint Paul Newman to Rockville Economic Development Inc. until December 1, 2015.

Moved by Councilmember Hall, seconded by Councilmember Pierzchala and unanimously approved.

Mayor Marcuccio announced vacancies in the following Boards and Commissions: Human Services Advisory Commission; Planning Commission; Sign Review Board; and Traffic and Transportation Commission. Mayor Marcuccio encouraged residents to visit the City's website for information on the Boards and Commission and how to apply.

#### **6. Citizens' Forum**

<i>Citizen</i>	<i>Issue</i>
Ray Whalen	Financial Advisory Board
Jason Mitchell	Financial Advisory Board

#### **7. Mayor and Council's Response to Citizens' Forum and Announcement.**

Councilmember Moore	Commented on Mr. Whalen's proposal and stated it was something that could definitely be looked into.
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#### **8. Mayor and Council's Reports**

Councilmember Pierzchala and Mayor Marcuccio attended the Monte Carlo Night for the Kaseman Clinic. Councilmember Pierzchala and Councilmember Newton attended the open house for Peerless Rockville at the Red Brick Courthouse. Councilmember Newton said that she had attended Metropolitan Council of Government's Transportation meeting and there was discussion on the possibility of buses using the access lanes down I-270. Mayor Marcuccio attended the Annual Kiwanis breakfast.

#### **9. Discussion and Instructions – Report on Increasing Productivity in Rockville**

Michelle Poche Flaherty, Organizational Development Manager, provided the staff report on Increasing Productivity in Rockville.

Councilmember Pierzchala thanked staff for the work on the project. One chart in the report shows that the population has increased by 30% but FTE positions have not. Councilmember Pierzchala thinks there are more examples on how the City has increased productivity.

Councilmember Pierzchala stated it was in everyone's interest to increase productivity and that would include City staff. He mentioned that when the Enterprise Resource Planning (ERP) system is brought into place, that should result in greater productivity. He thanked Ms. Poche Flaherty for the report.

Councilmember Hall thanked staff for the work on the project and expressed his agreement with the comments made by Councilmember Pierzchala. Mr. Hall noted the ERP system and Document Management Program are big ticket items and need to be made a reality.

Councilmember Newton thanked all and agreed with Councilmember Hall's comments. Councilmember Newton would like this done in conjunction with the employee compensation study. Councilmember Newton had some questions on the employee FTE numbers and Michelle Poche Flaherty responded.

#### **10. Discussion – Reducing the City Budget, What It Means to Cut Costs**

Budget and Finance Manager Stacey Webster provided the staff report and PowerPoint presentation on this item to the Mayor and Council. Ms. Webster noted this was the fifth in a series of budget discussions. Ms. Webster addressed the tools available for prioritizing and assessing spending:

- Budget book
  - Operating budget book
  - Capital Improvement Program budget book
- Community Involvement
  - Biennial Citizen Survey
  - Weekly Mayor and Council drop-in
  - Weekly citizens forum
  - Budget public hearing
  - Citizen service requests
  - Neighborhood organizations

Ms. Webster provided further details in the following areas where the City has cut costs over the past five years:

- Personnel
- Benefits
- Contracting
- Other operating expenditures
- Productivity improvements

One tool the Mayor and Council have used most recently to share priorities with the community is the budget foundation survey. She noted that City staff will analyze the survey results and provide that information to the Mayor and Council. The Mayor and Council discussed the issue at length and staff responded to questions and points of clarification posed by the Mayor and Council.

## **11. Creation of a Financial Advisory Board**

Councilmember Newton provided the introduction and background information of this item to the Mayor and Council. Councilmember Newton noted that the creation of this Board would not in any way hinder the Mayor and Council's timely receiving of information, reports, or in making decisions. Councilmember Moore proposed the creation of an ad-hoc task force that would tackle specific issues for specific periods of time. This has worked well for the Mayor and Council in the past. Councilmember Moore said that he is interested in hearing what this proposed Board can do that should not be done by the Mayor and Council or that is not already being done by City staff.

**Motion:** To approve the creation of a Financial Advisory Board

Moved by Councilmember Newton duly seconded by Councilmember Moore.

In discussion, Councilmember Moore wanted to know more about the scope of this Board; its mission, tasks and responsibilities. Councilmember Newton envisions that the Board may meet six or so times a year reviewing the financial reports, bringing up any concerns or issues so as to aid the Mayor and Council in their decision making. Councilmember Newton touched on the benefit of a standing committee as opposed to a task force. She said the idea is to get people invested in the budget process throughout the year and not come on board in a quick manner and then try to get up to speed. This Board would be another way to get people involved and be a part of the process.

Councilmember Pierzchala stated that there is not a proposal on the table, but rather an idea, and he is not in favor of the creation of a Financial Advisory the Board at this time. He would like to see information presented that identifies the scope and responsibilities. Councilmember Pierzchala noted that if there was going to be a standing board, they should be focused on technical topics. He stated he was in agreement with Councilmember Moore that the Mayor and Council would be much better served by a series of task forces. Councilmember Pierzchala thought a standing board might be beneficial for audit oversight. He suggested that the Mayor and Council receive a solid written proposal so that the Mayor and Council would have something to discuss and vote on. Councilmember Pierzchala suggested putting off the vote until there is something concrete to react to.

Councilmember Newton said that her vision would be that this group would be advisory in nature where they would offer expertise, and not to supplant the work or decisions of the Mayor and Council. Councilmember Newton suggested going through the potential scope of responsibilities and discussing each one individually.

Councilmember Hall stated he was not a fan of proliferation of boards and commissions as a general rule but is not opposed to the concept of a Financial Advisory Board. He noted his concerns ensuring that the role of the Mayor and Council and staff exists and are properly performed.

The Mayor and Council continued to discuss the pros and cons of the creation of a Financial Advisory Board and whether or not there would be much value.

Councilmember Moore suggested a motion that would amend the original motion to substitute the text to say: "express the Mayor and Council's support for obtaining more information from

the public and to direct Councilmember Newton to come back with a detailed proposal on what that might look like if it were a Financial Advisory Board."

Councilmember Newton did not accept the proposal. Councilmember Moore stated that was not needed, that they could vote on it following Robert's Rules of Order they would just take a vote. Mayor Marcuccio asked for a second.

Councilmember Hall was in agreement with everything stated by Councilmember Moore, but would like to include: "in addition to bringing more information into the process, supporting the concept of a Financial Advisory Board", at which point he would vote for it.

City Attorney Daniel stated it would be cleaner and simpler if the Mayor and Council dealt with the first motion that was on the floor due to the confusion on how the motions were being handled. The consensus was to withdraw the first motion and make a new motion.

**Motion:** To withdraw the motion to approve the creation of a Financial Advisory Board.

Moved by Councilmember Newton and seconded by Councilmember Moore.

The Mayor and Council agreed to withdraw the motion, but an official vote was not taken.

**Motion:** To approve the concept of a Financial Advisory Board and Councilmember Newton will return next week with a revised proposal with justifications for each item in the proposal.

Moved by Councilmember Newton and seconded by Councilmember Hall.

In discussion, Councilmember Pierzchala requested the motion be re-read for clarification. Assistant City Manager Kimball reread the motion as follows:

*"Motion to approve the concept of a Financial Advisory Board with Councilmember Newton returning next week with a revised proposal with specific justifications for each item in the proposal."*

**Motion:** To call the question.

Moved by Councilmember Newton and seconded by Councilmember Hall with Mayor Marcuccio and Councilmember Newton and Hall approving, and Councilmembers Moore and Pierzchala opposing. The motion failed 3 to 2.

The Mayor and Council had the motion re-read for clarification prior to the official vote being taken as follows:

***"Motion to approve the concept of a Financial Advisory Board and for Councilmember Newton to return next week with a revised proposal with justifications for each item."***

**Vote:** Mayor Marcuccio and Councilmembers Newton and Hall approving, and Councilmembers Moore and Pierzchala opposing. Motion passes 3 to 2.

**12. Review and Comment Regarding Mayor and Council Action Report**

Councilmember Moore noted that the License Plate Reader item is no longer contained in the report and asked that it be put back on the list for a discussion at an upcoming Mayor and Council meeting.

**13. Review and Comment Regarding Future Agenda**

Councilmember Hall asked that the Ethics Ordinance (Chapter 16) Item be moved and City Attorney Daniel noted her intention was to move it to the December 17, 2013, Mayor and Council meeting.

**14. Old/New Business**

No comments.

**15. Adjournment**

There being no further business, the Mayor and Council adjourned at 8:55 p.m.

**Motion:** To adjourn.

Moved by Councilmember Hall, seconded by Councilmember Newton and unanimously passed.